

Attorney Docket No.: 10/801,550-01US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Stephen L. Dellaporta *et al.*

Confirmation No.: 3965

Application No.: 10/801,550

Group Art Unit: 1638

Filed: March 17, 2004

Examiner: David T. Fox

For: METHODS AND COMPOSITIONS TO REDUCE OR ELIMINATE TRANSMISSION  
OF A TRANSGENE

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

This paper responds to the Restriction Requirement dated August 11, 2006. A petition for a one-month extension of time is submitted herewith, extending the period from September 11, 2006 to October 11, 2006.

Applicants respectfully elect, with traverse, Group III, claims 67-78, drawn to a method for enriching dispersed transposition events in a population of plant cells comprising propagating through meiosis transgenic plant cells comprising a transposon..

Regarding the elections of species required by the Examiner, we elect the following species:

Transgenes comprising male-specific promoters (claim 72).

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TRANSMITTAL OF RESPONSE

Enclosed are the following documents in response to the Restriction Requirement mailed August 11, 2006, for the above-identified application:

- ☒ Response to Restriction Requirement
- ☒ Petition for Extension of Time


The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: October 11, 2006

Respectfully submitted,  
COOLEY GODWARD KRONISH LLP

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By:

  
Erich E. Veitenheimer  
Reg. No. 40,420

**CONCLUSION**

Applicants respectfully submit that the instant application is in full condition for allowance. Favorable examination of the claims on the merits is respectfully requested. The Examiner is invited to contact the undersigned if any issues remain outstanding after consideration of this Amendment and Response.


**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1283. This paragraph is intended to be a **Constructive Petition for Extension of Time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: October 11, 2006

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